

Serial No. 09/646,988

REMARKS

Claim 1 has been amended to include the limitations of claim 5, now canceled, and other dependent claims have been changed to make them consistent in light of the change to claim 1. The claims before the Examiner are claims 1 to 4 and 6 to 11.

The rejection of claims 1 to 11 under 35 USC 103 as unpatentable over Matsui et al. '630, over Ueno et al. '119, and the rejection of claims 1 to 11 under 35 USC 103 as unpatentable over Yamazaki et al. '816, if applied to the claims as amended, are respectfully traversed.

The mention of individual rare gases, among others, in the references does not teach or suggest the advantages provided by the instant invention for the reasons given to date by applicant.

The Examiner asserts that the Ueno declaration shows the ability to form thicker films only in the context of SiO₂ films. Applicant respectfully submits that the declaration permits one of ordinary skill in the art to believe and understand that the operation described therein applies readily to the substrates and treating gases of the claims as they now read. Claim 10 was not amended because it already referred to a silicon substrate and gaseous molecules that

Serial No. 09/646,988

contain Si elements and nitrogen molecules. The declaration and the working examples establish patentability here. Reconsideration of the rejections is earnestly solicited.

The Examiner is requested to telephone the undersigned if further changes are required in the case prior to allowance.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

Charles A. Wendel

Registration No. 24,453

August 12, 2003
Date

CAW/ch

Attorney Docket No.: SUGI:093

PARKHURST & WENDEL, L.L.P.

1421 Prince Street

Suite 210

Alexandria, Virginia 22314-2805

Telephone: (703) 739-0220

OFFICIAL